

David M. Crosby, Esq.
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CROSBY & ASSOCIATES
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Las Vegas, Nevada 89101
Phone: (702) 382-2600
Attorneys for Debtor(s)

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA

* * * * *

In the matter of:)	Case No: BK-10-23759-LBR
)	Chapter 13
ELIZABETH R. SOBCZAK)	
)	
Debtor(s).)	Date: 12-9-10
)	Time: 3:05 p.m.
)	Rick A. Yarnall

**MOTION TO VALUE DEBTORS' NON-PRINCIPAL RESIDENCE REAL
PROPERTY, AVOID WHOLLY UNSECURED LIEN(S) ENCUMBERING SAME,
AND TO MODIFY THE RIGHTS OF PARTIALLY SECURED LIENHOLDER(S)
AND OBJECTION TO LIENHOLDERS' PROOFS OF CLAIM, IF ANY**

Comes Now Debtor, Elizabeth R. Sobczak, by and through her legal counsel, David M. Crosby, Esq., of the law firm Crosby & Associates, who respectfully moves this Court to value Debtors' non-principal residence, determine the junior lien of U.S. Bank National Association to be wholly unsecured and the first lien of U.S. National Association to be partially unsecured, to avoid said wholly unsecured liens and to modify the rights of said creditors accordingly including determining the claims pursuant to any proof(s) of claim which such lienholders may have filed to be unsecured where there is insufficient equity in the residence to secure more than the first lien.

This Motion is brought pursuant to 11 U.S.C. §502(a), §506(a), §1322(b)(2), and Bankruptcy Rules 3012 and 9014, the Points and Authorities set forth below and all documents and pleadings on file herein.

1 Dated this 7th day of November, 2010.

2 CROSBY & ASSOCIATES

3
4 By:

5 David M. Crosby, Esq.
6 Attorney For Debtors
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8 **POINTS AND AUTHORITIES**

9
10 **I.**

11 **STATEMENT OF FACTS**

12 1. Debtor filed a Chapter 13 petition in United States Bankruptcy Court,
13 District of Nevada on July 22, 2010.

14 2. On the date of the petition, Debtor was the owner of real property used as
15 rental property known and described as 5401 Tassara Way #105, Las Vegas, NV 89108
16 legally described as set forth on the Grant Bargain Sale Deed set forth and attached
17 herein as (Exhibit "1").

18
19 APN: 138-13-810-023

20 3. The value of said real property at the time Debtors' Chapter 13 Petition
21 was filed was \$55,000.00 as set forth more particularly in an internet appraisal of subject
22 property (Exhibit "2").

23 4. Said property at the time of filing was subject to the following liens
24 allegedly evidenced by Promissory Notes and Deeds of Trust:
25
26
27
28

1 First Mortgage: (Exhibit "3")
2 U.S. Bank National Association \$ 165,863.12
3 c/o Wells Fargo Bank, N.A.
4 as servicer for
5 One Home Campus
6 MAC ID#X2302-04C
7 Des Moines, IA 50328
8 Loan # xxxxxx3846

9 Junior Mortgage: (Exhibit "4")
10 U.S. Bank National Association. \$ 14,461.14
11 c/o Nationstar Mortgage
12 P.O. Box 829009
13 Dallas, TX 75382-9009
14 Loan # xxxxxx3159

15 5. As of the date Debtors' Chapter 13 Petition was filed no equity existed in
16 said property above the amount of the appraisal value of \$55,000.00 thereby leaving the
17 junior loan to U.S. Bank National Association as wholly unsecured and the first loan to
18 U.S. Bank National Association as partially secured to the extent of the value of the
19 property. If said property were foreclosed or otherwise sold at auction on the date of the
20 petition, there would be insufficient proceeds to pay anything to U.S. Bank National
21 Association on the junior loan and only partial payment to U.S. Bank National
22 Association on the first loan.

23 6. Debtor declares that the entire junior claim of U.S. Bank National
24 Association is unsecured and the first claim of U.S. Bank National Association is only
25 partially secured such that all such unsecured debt should be reclassified as unsecured
26 to share pro rata with other general unsecured creditors through the debtors' Chapter
27 13 plan with any proof(s) of claim filed by it modified accordingly to document the claim
28 as unsecured, and that the junior lien filed by U.S. Bank National Association as
identified above encumbering subject property be properly avoided by Order of this
Court and the lien of U.S. Bank National Association on the first loan be modified
accordingly by order of the Court.

II.

LEGAL ARGUMENT

A. The Restrictions of 11 U.S.C. § 1322(b)(2) Do Not Apply to Real Property Which is Not Debtor's Principal Residence.

11 U.S.C. §1322(b)(2) does not apply to this property as it is not Debtors' principal residence. That section provides:

(b) Subject to subsections (a) and (c) of this section, the plan may—

* * * * *

(2) modify the rights of holders of secured claims, other than a claim secured only by a security interest that is secured by an interest in real property that is the debtor's principal residence,

B. The Claims by Lienholders May be Bifurcated into Secured and Unsecured Claims Pursuant to 11 U.S.C. §506(a).

11 U.S.C. § 506(a)(1) provides in pertinent part:

(a)(1) An allowed claim of a creditor secured by a lien on property in which the estate has an interest, or that is subject to setoff under section 553 of this title, is a secured claim to the extent of the value of such creditor's interest in the estate's interest in such property, or to the extent of the amount subject to setoff, as the case may be, and is an unsecured claim to the extent that the value of such creditor's interest or the amount so subject to setoff is less than the amount of such allowed claim.

In re Zimmer, 313 F.3d 1220, 1221 (9th Cir.2002), accepted what was the majority view in the various circuits, that a, wholly unsecured lienholder is not entitled to the protection of 11 U.S.C. §1322(b)(2). The Court stated that a wholly unsecured lienholder's claim can be modified and reclassified as a general unsecured claim pursuant to 11 U.S.C. §506(a).

1 **C. Any Proof of Claim Filed by Named Lienholders Should be Conformed by**
 2 **Order of This Court to any Modification of Their Rights Determined by This**
 3 **Court.**

4 11 U.S.C. §502 provides that a claim of interest represented by proper Proof of
 5 Claim filed pursuant to section 501 is deemed allowed unless objected to. Debtors
 6 herewith objects to any and all Proof(s) of Claim which may have been filed by U.S.
 7 Bank National Association, relative to their loans and request that any Proof(s) of Claim
 8 of same representing such claims be modified accordingly to unsecured claims
 9 consistent with the Order of this Court determining their claims to be wholly unsecured
 10 in the case of the junior lien and only partially secured in the case of the first lien.

11 **III.**

12 **CONCLUSION**

13 Debtors respectfully request determination of value of Debtors' non-primary
 14 residence real property to be less than the amount of the first lien and argue that since
 15 the junior claim is wholly unsecured, it may be completely avoided and "stripped off"
 16 pursuant to 11 U.S.C. §506(a) and that the first claim of U.S. Bank National Association
 17 may be modified, stripped down and reduced to the actual value of the property; that the
 18 said claims be reclassified as general unsecured claims to be paid pro rata with other
 19 general unsecured creditors through the debtors' Chapter 13 plan; that any Proof of
 20 Claim of the lienholders be modified consistent with the actual value of the property.

21 WHEREFORE, Debtors pray that this Court:

- 22 1. Determine the value of Debtors' non-principal residence to be \$55,000.00
 23 or such other amount as the evidence may justify as of the date of the Petition; and
- 24 2. Avoid and extinguish the junior lien of U.S. Bank National Association as
 25 wholly unsecured lien pursuant to 11 U.S.C. Section 506(a) upon completion of the
 26 Debtor's Chapter 13 plan; and
- 27 3. Modify the first lien of U.S. Bank National Association as secured only to
 28 the extent of the actual value of the property as of the date of the Petition to be paid
 through the Chapter 13 Plan; and

1 4. Reclassify the junior claim of U.S. Bank National Association and the non-
2 secured portion of U.S. Bank National Association's claim as a general unsecured
3 claims to be paid pro rata with other general unsecured creditors through the Debtors'
4 Chapter 13 plan; and

5 5. Conform any Proof(s) of Claim filed by the claim of U.S. Bank National
6 Association to the secured/unsecured status of said claims as determined by this Court;
7 and

8 6. Order such other relief as the Court may deem appropriate.

9 Dated this 12th day of November, 2010.

10 Respectfully Submitted:

11 CROSBY & ASSOCIATES

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13 By:

14 David M. Crosby, Esq.
15 Attorney for Debtors
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20070209-0001364

RECORDING REQUESTED BY:
Fidelity National Title Agency of Nevada
Escrow No. 07-192825-TH
Title Order No. 00192825

When Recorded Mail Document
and Tax Statement To:
Mr. and Mrs. Elizabeth Rae Sobczak
5401 Tassara Way #105
Las Vegas, NV 89108

Fee: \$16.00 RPTT: \$1,071.00
N/C Fee: \$25.00

02/09/2007 09:54:38
T20070024293

Requestor:
FIDELITY NATIONAL TITLE

Debbie Conway CDO
Clark County Recorder Pgs: 4

RPTT: 1,071.00
APN: 138-13-810-023

GRANT, BARGAIN, SALE DEED

THIS INDENTURE WITNESSETH: That William P. Schwider a widower

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, do(es) hereby Grant,
Bargain, Sell and

Convey to Elizabeth Rae Sobczak a single woman

all that real property situated in the Clark County, State of Nevada, bounded and described as follows:

SEE EXHIBIT ONE ATTACHED HERETO AND MADE A PART HEREOF

SUBJECT TO: 1. Taxes for the fiscal year 2006-07
2. Covenants, Conditions, Reservations, Rights, Rights of Way and Easements
now of record.

Together with all and singular tenements, hereditaments and appurtenances thereunto belonging or
in anywise appertaining.

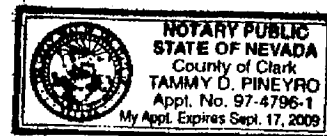
DATED: January 18, 2007

STATE OF NEVADA
COUNTY OF Clark

This instrument was acknowledged before me
on January 18, 2007
by William P. Schwider

William P. Schwider
William P. Schwider

Signature [Signature]
My Commission Expires: 9-17-07 Notary Public



exh 1

Order No. 07-19-192825-TH

EXHIBIT "ONE"

Parcel One (1):

A undivided 1/6 interest as tenant in common in and to Lot 4 of Smoke Ranch Villas Condominiums as shown by map thereof on file in Book 59 of Plats, Page 19, and amended by that certain Certificate of Amendment recorded May 18, 1994 in Book 940518 as Document No. 00981 and re-recorded March 22, 1994 in Book 940322 as Document No. 00378, as the same may be amended and/or supplemented, of Official Records. And Amended Final Map of a Portion of Smoke Ranch Villas Condominiums as shown by map thereof on file in Book 74 of Plats at Page 77, all in the office of the County Recorder of Clark County, Nevada.

Excepting Therefrom the Following:

All Units in all Lots as shown on the Condominiums plat referred to above.

And Reserving Therefrom the right to possession of all those areas designated as Limited Common Areas as shown upon the Condominium Plat referred to above, and as set forth in the Declaration of Covenants, Conditions and Restrictions recorded February 18, 1994, in Book 940218 as Document No. 00378, and re-recorded March 22, 1994 in Book 940322 as Document No. 378 as the same may be amended and/or supplemented, of Official Records.

And Further Reserving Therefrom for the benefit of owners in future development, non-exclusive easements on, over and under the Common Area as defined and shown upon the Condominiums Plan referred to above for ingress, egress and recreational use, subject to the terms and as more particularly set forth in the Declaration of Covenants, Conditions and Restrictions recorded February 18, 1994, in Book 940218 as Document No. 01196 and re-recorded March 22, 1994 in Book 940322 as Document No. 00378, Records, excepting from the common area, any residential buildings thereon and any portion thereof which is designated as Exclusive Use Easements.

Parcel Two (2):

Living Unit 23 Lot 4 of Smoke Ranch Villas Condominiums, as shown by map thereof on file in Book 59 of Plats, page 19, and amended by that certain Certificate of Amendment recorded May 18, 1994 in Book 940518 as Document No. 00981, in the Office of the County Recorder of Clark County, Nevada. And Amended Final Map of a Portion of Smoke Ranch Villas Condominiums as shown by map thereof on file in Book 74 of Plats at Page 77, in the office of the County Recorder of Clark County, Nevada.

Parcel (3):

The exclusive right to use, possession and occupancy of those portions of Parcel One (1) described above as Limited Common Areas which are appurtenant to Parcel Two (2) above described.

Parcel (4):

A non-exclusive easement for ingress, egress and recreational use on, over and under the common areas and private streets of Smoke Ranch Villas Condominiums on file in Book 59 of Plats, page 19, and amended by that certain Certificate of Amendment recorded May 18, 1994 in Book 940518 as Document No. 00981, in the Office of the County Recorder of Clark County, Nevada. And Amended Final Map of a Portion of Smoke Ranch Village Condominiums as shown by map thereof on file in Book 74 of Plats at Page 77 all in the office of the Recorder of the County of Clark, Nevada and future Units, which easement is

Order No. 07-19-192825-TH

appurtenant to Parcels One (1), Two (2) and Three (3) described above.

Assessor's Parcel No: 138-13-810-023

ASSESSOR'S COPY

PARKER DRISCOLL APPRAISAL
702-254-0977

File No. 10-152

13

APPRAISAL OF



SINGLE FAMILY RESIDENCE

LOCATED AT:

5401 TASSARA WAY 105
LAS VEGAS, NV 89108-3577

CLIENT:

Elizabeth
SOBCZAK/CO DAVID M CROSBY, ESQ
711 SOUTH EIGHTH STREET
LAS VEGAS, NV 89101

AS OF:

March 23, 2010

BY:

JAMES DRISCOLL
PARKER DRISCOLL APPRAISAL

aph 2

PARKER DRISCOLL APPRAISAL
Residential Appraisal Report

File No. 10-152

PURPOSE	The purpose of this appraisal report is to provide the client with a credible opinion of the defined value of the subject property, given the intended use of the appraisal.																																																					
	Client Name/Intended User SOBCZAK/CO DAVID M CROSBY, ESQ		E-mail CROSBYDM@COX.NET																																																			
	Client Address 711 SOUTH EIGHTH STREET		City LAS VEGAS	State NV Zip 89101																																																		
	Additional Intended User(s) THE PURPOSE OF THIS APPRAISAL REPORT IS TO PROVIDE THE CLIENT WITH A CREDIBLE OPINION OF THE DEFINED VALUE OF THE SUBJECT PROPERTY FOR THE SOLE AND EXCLUSIVE USE OF THE CLIENT, THERE ARE NO ADDITIONAL INTENDED USERS OF THIS APPRAISAL/SUMMARY REPORT. SEE ATTACHED LIMITING CONDITIONS.																																																					
SUBJECT	Intended Use THE PURPOSE OF THIS APPRAISAL REPORT IS TO PROVIDE THE CLIENT WITH A CREDIBLE OPINION OF THE DEFINED VALUE OF THE SUBJECT PROPERTY FOR THE SOLE AND EXCLUSIVE USE OF THE CLIENT, THERE ARE NO ADDITIONAL INTENDED USERS OF THIS APPRAISAL/SUMMARY REPORT. SEE ATTACHED LIMITING CONDITIONS.																																																					
	Property Address 5401 TASSARA WAY 105		City LAS VEGAS	State NV Zip 89108-3577																																																		
	Owner of Public Record SOBCZAK		County CLARK																																																			
	Legal Description SMOKE RANCH VILLAS CONDO PLAT BOOK 59 PAGE 19 UNIT 23 BLDG 4																																																					
SALES HISTORY	Assessor's Parcel # 138-13-810-023		Tax Year 2010	R.E. Taxes \$ 1,427.15																																																		
	Neighborhood Name SMOKE RANCH VILLAS CONDO		Map Reference 33-F6 Census Tract 3417																																																			
	Property Rights Appraised <input checked="" type="checkbox"/> Fee Simple <input type="checkbox"/> Leasehold <input type="checkbox"/> Other (describe) N/A																																																					
	My research <input type="checkbox"/> did <input checked="" type="checkbox"/> did not reveal any prior sales or transfers of the subject property for the three years prior to the effective date of this appraisal.																																																					
NEIGHBORHOOD	Prior Sale/Transfer: Date N/A Price N/A		Source(s) COUNTY RECORDS/MLS																																																			
	Analysis of prior sale or transfer history of the subject property (and comparable sales, if applicable) THE SUBJECT HAS NOT BEEN LISTED IN THE MLS WITHIN THE PAST TWELVE MONTHS. HAS HAD NO TRANSACTIONS WITHIN THE PAST THREE YEARS. ALL SALES WERE REPORTED CLOSED WITH TYPICAL FINANCING. THE REPORTED SALES CONCESSIONS BEING PAID FOR BY THE SELLER ARE TYPICAL IN THE MARKET PLACE																																																					
	Offerings, options and contracts as of the effective date of the appraisal N/A																																																					
SITE	<table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th colspan="3">Neighborhood Characteristics</th> <th colspan="3">One-Unit Housing Trends</th> <th colspan="2">One-Unit Housing</th> <th colspan="2">Present Land Use %</th> </tr> </thead> <tbody> <tr> <td>Location</td> <td><input type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban <input type="checkbox"/> Rural</td> <td>Property Values</td> <td><input type="checkbox"/> Increasing <input type="checkbox"/> Stable <input checked="" type="checkbox"/> Declining</td> <td>PRICE</td> <td>AGE</td> <td>One-Unit</td> <td>80 %</td> </tr> <tr> <td>Built-Up</td> <td><input checked="" type="checkbox"/> Over 75% <input type="checkbox"/> 25-75% <input type="checkbox"/> Under 25%</td> <td>Demand/Supply</td> <td><input type="checkbox"/> Shortage <input type="checkbox"/> In Balance <input checked="" type="checkbox"/> Over Supply</td> <td>\$(000)</td> <td>(yrs)</td> <td>2-4 Unit</td> <td>5 %</td> </tr> <tr> <td>Growth</td> <td><input type="checkbox"/> Rapid <input checked="" type="checkbox"/> Stable <input type="checkbox"/> Slow</td> <td>Marketing Time</td> <td><input type="checkbox"/> Under 3 mths <input checked="" type="checkbox"/> 3-6 mths <input type="checkbox"/> Over 6 mths</td> <td>50 Low</td> <td>5</td> <td>Multi-Family</td> <td>5 %</td> </tr> <tr> <td colspan="4">Neighborhood Boundaries CHEYENNE AVE TO THE NORTH, SMOKE RANCH RD TO THE SOUTH, RANCHO DR TO THE EAST, AND JONES BLVD TO THE WEST</td> <td>400+ High</td> <td>60+</td> <td>Commercial</td> <td>5 %</td> </tr> <tr> <td colspan="4">Neighborhood Description THE SUBJECT IS LOCATED IN A RESIDENTIAL AREA WHERE THE HOMES ARE REASONABLY COMPATIBLE. STREET PATTERNS ARE GOOD SITES ARE ADEQUATE AND THE SUBJECT IS TYPICAL FOR THE NEIGHBORHOOD. NO NEIGHBORHOOD FACTORS WERE NOTED THAT WOULD ADVERSELY AFFECT THE SUBJECT PROPERTY.</td> <td>110 Pred.</td> <td>15-20</td> <td>Other VACANT</td> <td>5 %</td> </tr> </tbody> </table>				Neighborhood Characteristics			One-Unit Housing Trends			One-Unit Housing		Present Land Use %		Location	<input type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban <input type="checkbox"/> Rural	Property Values	<input type="checkbox"/> Increasing <input type="checkbox"/> Stable <input checked="" type="checkbox"/> Declining	PRICE	AGE	One-Unit	80 %	Built-Up	<input checked="" type="checkbox"/> Over 75% <input type="checkbox"/> 25-75% <input type="checkbox"/> Under 25%	Demand/Supply	<input type="checkbox"/> Shortage <input type="checkbox"/> In Balance <input checked="" type="checkbox"/> Over Supply	\$(000)	(yrs)	2-4 Unit	5 %	Growth	<input type="checkbox"/> Rapid <input checked="" type="checkbox"/> Stable <input type="checkbox"/> Slow	Marketing Time	<input type="checkbox"/> Under 3 mths <input checked="" type="checkbox"/> 3-6 mths <input type="checkbox"/> Over 6 mths	50 Low	5	Multi-Family	5 %	Neighborhood Boundaries CHEYENNE AVE TO THE NORTH, SMOKE RANCH RD TO THE SOUTH, RANCHO DR TO THE EAST, AND JONES BLVD TO THE WEST				400+ High	60+	Commercial	5 %	Neighborhood Description THE SUBJECT IS LOCATED IN A RESIDENTIAL AREA WHERE THE HOMES ARE REASONABLY COMPATIBLE. STREET PATTERNS ARE GOOD SITES ARE ADEQUATE AND THE SUBJECT IS TYPICAL FOR THE NEIGHBORHOOD. NO NEIGHBORHOOD FACTORS WERE NOTED THAT WOULD ADVERSELY AFFECT THE SUBJECT PROPERTY.				110 Pred.	15-20	Other VACANT	5 %
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Market Conditions (including support for the above conclusions) PREVAILING INTEREST RATES ARE RANGING FROM 4.0% TO 10.0%. TYPICALLY SELLERS ARE PAYING FROM 0 TO 3 PERCENT IN THE MARKETING OF THEIR HOMES. MARKET CONDITIONS APPEAR TO BE DECLINING WITH DECLINING PROPERTY VALUES. THIS IS DUE TO REO, SHORT SALES, AND FORECLOSURES WITHIN THE MARKET AREA																																																						
IMPROVEMENTS	Dimensions SEE ATTACHED PLAT MAP		Area 6400 SQ FT	Shape IRREGULAR	View TYPICAL																																																	
	Specific Zoning Classification R-PD6		Zoning Description RESIDENTIAL PLANNED DEVELOPMENT DISTRICT																																																			
	Zoning Compliance <input checked="" type="checkbox"/> Legal <input type="checkbox"/> Legal Nonconforming (Grandfathered Use) <input type="checkbox"/> No Zoning <input type="checkbox"/> Illegal (describe) N/A		Is the highest and best use of the subject property as improved (or as proposed per plans and specifications) the present use? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If No, describe. N/A																																																			
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Site Comments NO ADVERSE EASEMENTS OR ENCROACHMENTS WERE APPARENT. HOWEVER, MY INSPECTION WAS MADE WITHOUT THE BENEFIT OF A TITLE REPORT OR SURVEY.																																																						
GENERAL DESCRIPTION	Units <input checked="" type="checkbox"/> One <input type="checkbox"/> One w/Acc. unit <input type="checkbox"/>		<input checked="" type="checkbox"/> Concrete Slab <input type="checkbox"/> Crawl Space		Foundation Walls CONCRETE/AVG		Floors N/A																																															
	# of Stories ONE		<input type="checkbox"/> Full Basement <input type="checkbox"/> Partial Basement		Exterior Walls FR/STUCCO/AVG		Walls N/A																																															
	Type <input type="checkbox"/> Det. <input checked="" type="checkbox"/> Att. <input type="checkbox"/> S-Det./End Unit		Basement Area 0.0000 sq. ft.		Roof Surface CONC TILE/AVG		Trim/Finish N/A																																															
	<input checked="" type="checkbox"/> Existing <input type="checkbox"/> Proposed <input type="checkbox"/> Under Const.		Basement Finish N/A %		Gutters & Downspouts NONE		Bath Floor N/A																																															
FOUNDATION	Design (Style) 1 STORY		<input type="checkbox"/> Outside Entry/Exit <input type="checkbox"/> Sump Pump		Window Type SLIDE/AVG		Bath Wainscot N/A																																															
	Year Built 1996				Storm Sash/Insulated NONE		Car Storage <input type="checkbox"/> None																																															
	Effective Age (Yrs) 5-10				Screens YES/AVG		<input type="checkbox"/> Driveway # of Cars																																															
	Attic <input type="checkbox"/> None		Heating <input checked="" type="checkbox"/> FWA <input type="checkbox"/> HW <input type="checkbox"/> Radiant		Amenities <input type="checkbox"/> Woodstove(s) #		Driveway Surface CONCRETE																																															
EXTERIOR DESCRIPTION	<input type="checkbox"/> Drop Stair <input type="checkbox"/> Stairs		<input type="checkbox"/> Other Fuel GAS		<input checked="" type="checkbox"/> Fireplace(s) # 1 <input checked="" type="checkbox"/> Fence c-BLK		<input checked="" type="checkbox"/> Garage # of Cars 2																																															
	<input type="checkbox"/> Floor <input checked="" type="checkbox"/> Scuttle		Cooling <input checked="" type="checkbox"/> Central Air Conditioning		<input checked="" type="checkbox"/> Patio/Deck covrd <input checked="" type="checkbox"/> Porch COVERED		<input type="checkbox"/> Carport # of Cars																																															
	<input type="checkbox"/> Finished <input type="checkbox"/> Heated		<input type="checkbox"/> Individual <input type="checkbox"/> Other		<input type="checkbox"/> Pool <input type="checkbox"/> Other		<input checked="" type="checkbox"/> Att. <input type="checkbox"/> Det. <input type="checkbox"/> Built-in																																															
	Appliances <input type="checkbox"/> Refrigerator <input type="checkbox"/> Range/Oven <input type="checkbox"/> Dishwasher <input type="checkbox"/> Disposal <input type="checkbox"/> Microwave <input type="checkbox"/> Washer/Dryer <input checked="" type="checkbox"/> Other (describe) EXTERIOR ONLY																																																					
INTERIOR	Finished area above grade contains: 4 Rooms		2 Bedrooms		2 Bath(s)		1,066 Square Feet of Gross Living Area Above Grade																																															
	Additional Features EXTERIOR INSPECTION ONLY																																																					
Comments on the Improvements THE QUALITY OF CONSTRUCTION AND MATERIALS APPEARS TO BE AVERAGE WITH AVERAGE MAINTENANCE. NO FUNCTIONAL OR EXTERNAL INADEQUACIES NOTED. FURTHER, IT SHOULD BE NOTED THIS IS AN EXTERIOR ONLY APPRAISAL. THE APPRAISER ASSUMES NO LIABILITY FOR FUNCTIONAL INADEQUACIES, DEFECTS, OR CONDITIONS WHICH MAY BE PRESENT BUT NOT OBSERVABLE FROM THE STREET. PLEASE NOTE: THE APPRAISER IS NOT AN EXPERT IN THIS FIELD, IF FURTHER ASSISTANCE IS REQUIRED THE APPRAISER RECOMMENDS AN INSPECTION BY A LICENSED EXPERT IN THE FIELD																																																						

PARKER DRISCOLL APPRAISAL
Residential Appraisal Report

File No. 10-152

FEATURE	SUBJECT	COMPARABLE SALE NO. 1	COMPARABLE SALE NO. 2	COMPARABLE SALE NO. 3
5401 TASSARA WAY 105 Address LAS VEGAS		5401 BUGLE WY 106 LAS VEGAS	5425 TASSARA WY 101 LAS VEGAS	5448 COMCHEC WY 102 LAS VEGAS
Proximity to Subject		0.16 miles N	0.03 miles W	0.12 miles NNW
Sale Price	\$ N/A	\$ 53,100	\$ 60,000	\$ 85,000
Sale Price/Gross Liv. Area	\$ 0.00 sq. ft.	\$ 50.62 sq. ft.	\$ 57.20 sq. ft.	\$ 79.74 sq. ft.
Data Source(s)	CNTY REC/INSPC	COUNTY RECORDS/MLS	COUNTY RECORDS/MLS	COUNTY RECORDS/MLS
Verification Source(s)	DOC#	20100122-03781	20091023-02785	20091006-02502
VALUE ADJUSTMENTS	DESCRIPTION	DESCRIPTION	DESCRIPTION	DESCRIPTION
Sale or Financing	N/A	CASH	CASH	FHA
Concessions	N/A	NO CONCESS	SLR PD 3%	SLR PD 3%
Date of Sale/Time	N/A	01/22/2010	10/23/2009	10/06/2009
Location	AVERAGE	AVERAGE	AVERAGE	AVERAGE
Leasehold/Fee Simple	FEE SIMPLE	FEE SIMPLE	FEE SIMPLE	FEE SIMPLE
Site	6400 SQ FT	6400 SQ FT	6400 SQ FT	6400 SQ FT
View	TYPICAL	TYPICAL	TYPICAL	TYPICAL
Design (Style)	1 STORY/AVG	1 STORY/AVG	1 STORY/AVG	1 STORY/AVG
Quality of Construction	STU/TIL/AVG	STU/TIL/AVG	STU/TIL/AVG	STU/TIL/AVG
Actual Age	1996	1995	1996	1995
Condition	AVERAGE	AVERAGE	AVERAGE	AVERAGE
Above Grade	Total Bdrms. Baths	Total Bdrms. Baths	Total Bdrms. Baths	Total Bdrms. Baths
Room Count	4 2	4 2	4 2	4 2
Gross Living Area	1,066 sq. ft.	1,049 sq. ft.	1,049 sq. ft.	1,066 sq. ft.
Basement & Finished	NONE	NONE	NONE	NONE
Rooms Below Grade	MLS# N/A	MLS# 959342 DOM 276	MLS# 955590 DOM 98	MLS# 893277 DOM 508
Functional Utility	AVERAGE	AVERAGE	AVERAGE	AVERAGE
Heating/Cooling	FWA/C. REF	FWA/C. REF	FWA/C. REF	FWA/C. REF
Energy Efficient Items	AVERAGE	AVERAGE	AVERAGE	AVERAGE
Garage/Carport	2-GARAGE	2-GARAGE	2-GARAGE	2-GARAGE
Porch/Patio/Deck	PORCH/PATIO	PORCH/PATIO	PORCH/PATIO	PORCH/PATIO
Net Adjustment (Total)		\$ 1,062	\$ 2,400	\$ 4,250
Adjusted Sale Price of Comparables		Net Adj. -2.0% Gross Adj. 2.0% \$ 52,038	Net Adj. -4.0% Gross Adj. 4.0% \$ 57,600	Net Adj. -5.0% Gross Adj. 5.0% \$ 80,750
Summary of Sales Comparison Approach THE APPRAISER IS LIMITED IN THE SELECTION OF COMPARABLE SALES THAT ARE VERIFIABLE IN THE MARKET PLACE. TYPICAL BUYERS IN THE SUBJECT PRICE RANGE IN THIS LOCALITY WILL CONSIDER AND COMPARE HOMES WITHIN SEVERAL MILES FROM THE SUBJECT PROPERTY. ALL SELECTED COMPARABLES ARE IN THE SUBJECT'S COMPETITIVE MARKET AREA. THE SELECTED SALES WERE THE BEST INDICATORS IN VALUE AND MOST COMPARABLE TO THE SUBJECT.				
COST APPROACH TO VALUE				
Site Value Comments N/A				
ESTIMATED <input type="checkbox"/> REPRODUCTION OR <input type="checkbox"/> REPLACEMENT COST NEW				
Source of cost data N/A				
Quality rating from cost service N/A Effective date of cost data N/A				
Comments on Cost Approach (gross living area calculations, depreciation, etc.)				
N/A				
Garage/Carport 410 Sq. Ft. @ \$				
Total Estimate of Cost-New				
Less Physical Functional External				
Depreciation = \$ (0)				
Depreciated Cost of Improvements = \$ 0				
"As-is" Value of Site Improvements = \$				
INDICATED VALUE BY COST APPROACH = \$ 0				
INCOME APPROACH TO VALUE				
Estimated Monthly Market Rent \$ N/A X Gross Rent Multiplier N/A = \$ N/A Indicated Value by Income Approach				
Summary of Income Approach (including support for market rent and GRM) N/A				
Indicated Value by: Sales Comparison Approach \$55,000 Cost Approach (if developed) \$ 0 Income Approach (if developed) \$ N/A				
THE SALES COMPARISON APPROACH PROVIDES THE MOST DEFENSIBLE METHOD OF DETERMINING VALUE FOR SINGLE FAMILY RESIDENTIAL PROPERTIES. THE COST APPROACH HAS NO BEARING ON FINAL CONCLUSION. THE INCOME APPROACH LACKS SUFFICIENT DATA TO JUSTIFY VALUE.				
This appraisal is made <input checked="" type="checkbox"/> "as is," <input type="checkbox"/> subject to completion per plans and specifications on the basis of a hypothetical condition that the improvements have been completed, <input type="checkbox"/> subject to the following repairs or alterations on the basis of a hypothetical condition that the repairs or alterations have been completed <input type="checkbox"/> subject to the following:				
THIS IS A GENERAL PURPOSE APPRAISAL REPORT, FORM GPAR1004 EXTERIOR APPRAISAL/SUMMARY REPORT FOR THE SOLE AND EXCLUSIVE USE OF THE CLIENT, THERE ARE NO ADDITIONAL INTENDED USERS OF THIS APPRAISAL/SUMMARY REPORT. SEE ATTACHED LIMITING CONDITIONS.				
Based on the scope of work, assumptions, limiting conditions and appraiser's certification, my (our) opinion of the defined value of the real property that is the subject of this report is \$ 55,000 as of 03/23/2010, which is the effective date of this appraisal.				

PARKER DRISCOLL APPRAISAL
Residential Appraisal Report

File No. 10-152

FEATURE	SUBJECT	COMPARABLE SALE NO. 4	COMPARABLE SALE NO. 5	COMPARABLE SALE NO. 6
5401 TASSARA WAY 105		5400 TASSARA WY 102		
Address LAS VEGAS		LAS VEGAS		
Proximity to Subject		0.01 miles WSW		
Sale Price	\$ N/A	\$ 59,999		
Sale Price/Gross Liv. Area	\$ 0.00 sq. ft.	\$ 56.28 sq. ft.	\$ sq. ft.	\$ sq. ft.
Data Source(s)	CNTY REC/INSPC	COUNTY RECORDS/MLS		
Verification Source(s)	DOC#	PENDING		
VALUE ADJUSTMENTS	DESCRIPTION	DESCRIPTION	+(-) \$ Adjustment	DESCRIPTION
Sale or Financing	N/A	PENDING		
Concessions	N/A	PENDING		
Date of Sale/Time	N/A	PENDING	COMMENT	
Location	AVERAGE	AVERAGE		
Leasehold/Fee Simple	FEE SIMPLE	FEE SIMPLE		
Site	6400 SQ FT	6400 SQ FT		
View	TYPICAL	TYPICAL		
Design (Style)	1 STORY/AVG	1 STORY/AVG		
Quality of Construction	STU/TIL/AVG	STU/TIL/AVG		
Actual Age	1996	1996		
Condition	AVERAGE	AVERAGE		
Above Grade	Total Bdrms. Baths	Total Bdrms. Baths	Total Bdrms. Baths	Total Bdrms. Baths
Room Count	4 2	4 2		
Gross Living Area	1,066 sq. ft.	1,066 sq. ft.	sq. ft.	sq. ft.
Basement & Finished	NONE	NONE		
Rooms Below Grade	MLS# N/A	MLS# 964247 DOM 280	SHORT SALE	
Functional Utility	AVERAGE	AVERAGE		
Heating/Cooling	FWA/C. REF	FWA/C. REF		
Energy Efficient Items	AVERAGE	AVERAGE		
Garage/Carport	2-GARAGE	2-GARAGE		
Porch/Patio/Deck	PORCH/PATIO	PORCH/PATIO		
Net Adjustment (Total)		<input checked="" type="checkbox"/> + <input type="checkbox"/> - \$ 0	<input checked="" type="checkbox"/> + <input type="checkbox"/> - \$ 0	<input checked="" type="checkbox"/> + <input type="checkbox"/> - \$ 0
Adjusted Sale Price		Net Adj. 0.0%	Net Adj. 0.0%	Net Adj. 0.0%
of Comparables		Gross Adj. 0.0% \$ 59,999	Gross Adj. 0.0% \$ 0	Gross Adj. 0.0% \$ 0
Summary of Sales Comparison Approach	SEE ATTACHED ADDENDUM.			

Appraiser's Certification

The appraiser(s) certifies that, to the best of the appraiser's knowledge and belief:

1. The statements of fact contained in this report are true and correct.
2. The reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions and are the appraiser's personal, impartial, and unbiased professional analyses, opinions, and conclusions.
3. Unless otherwise stated, the appraiser has no present or prospective interest in the property that is the subject of this report and has no personal interest with respect to the parties involved.
4. The appraiser has no bias with respect to the property that is the subject of this report or to the parties involved with this assignment.
5. The appraiser's engagement in this assignment was not contingent upon developing or reporting predetermined results.
6. The appraiser's compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal.
7. The appraiser's analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the Uniform Standards of Professional Appraisal Practice.
8. Unless otherwise noted, the appraiser has made a personal inspection of the property that is the subject of this report.
9. Unless noted below, no one provided significant real property appraisal assistance to the appraiser signing this certification. Significant real property appraisal assistance provided by:
N/A

Additional Certifications:

N/A

Definition of Value: ☒ Market Value ☐ Other Value: _____

Source of Definition: FANNIE MAE FORM 1004 MARCH 2005

DEFINITION OF MARKET VALUE

THE MOST PROBABLE PRICE WHICH A PROPERTY SHOULD BRING IN A COMPETITIVE AND OPEN MARKET UNDER ALL CONDITIONS REQUISITE TO A FAIR SALE, THE BUYER AND SELLER, EACH ACTING PRUDENTLY, KNOWLEDGEABLY AND ASSUMING THE PRICE IS NOT AFFECTED BY UNDUE STIMULUS. IMPLICIT IN THIS DEFINITION IS THE CONSUMMATION OF A SALE AS OF A SPECIFIED DATE AND THE PASSING OF TITLE FROM SELLER TO BUYER UNDER CONDITIONS WHEREBY: (1) BUYER AND SELLER ARE TYPICALLY MOTIVATED; (2) BOTH PARTIES ARE WELL INFORMED OR WELL ADVISED, AND EACH ACTING IN WHAT HE OR SHE CONSIDERS HIS OR HER OWN BEST INTEREST; (3) A REASONABLE TIME IS ALLOWED FOR EXPOSURE IN THE OPEN MARKET; (4) PAYMENT IS MADE IN TERMS OF CASH IN US DOLLARS OR IN TERMS OF FINANCIAL ARRANGEMENTS COMPARABLE THERETO; AND (5) THE PRICE REPRESENTS THE NORMAL CONSIDERATION FOR THE PROPERTY SOLD UNAFFECTED BY SPECIAL OR CREATIVE FINANCING OR SALES CONCESSIONS GRANTED BY ANYONE ASSOCIATED WITH THE SALE.

THE PURPOSE OF THIS APPRAISAL REPORT IS TO PROVIDE THE CLIENT WITH A CREDIBLE OPINION OF THE VALUE OF THE SUBJECT PROPERTY, FOR THE SOLE AND EXCLUSIVE USE OF THE CLIENT, THERE ARE NO ADDITIONAL INTENDED USERS OF THIS APPRAISAL/SUMMARY REPORT.

ADDRESS OF THE PROPERTY APPRAISED:

5401 TASSARA WAY 105

LAS VEGAS, NV 89108-3577

EFFECTIVE DATE OF THE APPRAISAL: March 23, 2010

APPRAISED VALUE OF THE SUBJECT PROPERTY \$ 55,000

APPRAISER

SUPERVISORY APPRAISER

Signature: 

Name: JAMES DRISCOLL

State Certification # A.0006362-CR

or License # _____

or Other (describe): _____ State #: _____

State: NV

Expiration Date of Certification or License: 12/31/2011

Date of Signature and Report: 03/29/2010

Date of Property Viewing: 03/23/2010

Degree of property viewing:

☐ Interior and Exterior

☒ Exterior Only

☐ Did not personally view

Signature: _____

Name: _____

State Certification # _____

or License # _____

State: _____

Expiration Date of Certification or License: _____

Date of Signature: _____

Date of Property Viewing: _____

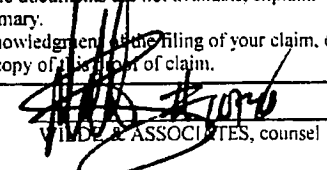
Degree of property viewing:

☐ Interior and Exterior

☐ Exterior Only

☐ Did not personally view

Case 10-23759-lbr Claim 1-1 Filed 07/30/10 Page 1 of 35

UNITED STATES BANKRUPTCY COURT DISTRICT OF NEVADA		PROOF OF CLAIM 13
Name of Debtor Elizabeth Sobczak	Case Number 10-23759-lbr	(This space for court use)
NOTE: This form should NOT be used to make a claim for an administrative expense arising after the commencement of the case. A request for payment of an administrative expense may be filed pursuant to 11 U.S.C. Section 503.		
Name of Creditor (The person or other entity to whom the debtor owes money or property) U.S. Bank National Association, as Trustee for GSAA 2007-7	<input type="checkbox"/> Check box if you are aware that anyone else has filed a proof of claim relating to your claim. Attach copy of statement giving particulars. <input type="checkbox"/> Check box if you have never received any notices from the bankruptcy court in this case. <input type="checkbox"/> Check box if the address differs from the address on the envelope sent to you by the court.	
Name & address where notices and payments should be sent: Wells Fargo Bank, N.A. as servicer for One Home Campus, MAC ID#X2302-04C Des Moines, IA 50328		Check here if this claim <input type="checkbox"/> replaces <input type="checkbox"/> amends a previously filed claim, dated _____
Account reference by which creditor identifies debtor: 5401 Tassara Way Las Vegas, NV 89108 Creditor Reference No. xxxxx3846		
1. BASIS FOR CLAIM <input type="checkbox"/> Goods sold <input type="checkbox"/> Services performed <input checked="" type="checkbox"/> Money loaned <input type="checkbox"/> Personal injury/wrongful death <input type="checkbox"/> Taxes <input type="checkbox"/> Other		
<input type="checkbox"/> Retiree benefits as defined in 11 U.S.C. §1114(a) <input type="checkbox"/> Wages, salaries, and compensation (FILL OUT BELOW) Your Social Security # _____ Unpaid compensation for services performed from _____ (date) _____ To _____ (date) _____		
2. Date debt was incurred: January 24, 2007 3. If court judgment, date obtained: _____		
4. Total amount of claim at time case filed: \$165,863.12 If all or part of your claim is secured or entitled to priority, also complete Item 5 or 6 below. <input type="checkbox"/> Check this box if claim includes interest or other charges in addition to the principal amount of the claim. Attach an itemized statement of all interest or additional charges.		
5. Secured Claim. <input checked="" type="checkbox"/> Check this box if your claim is secured by collateral (including a right of setoff) Brief description of collateral: <input checked="" type="checkbox"/> Real Estate <input type="checkbox"/> Motor Vehicle <input type="checkbox"/> Other Amount of arrearages and other charges at time case filed included in secured claim, if any: \$11,122.12* * Arrearages, as set forth in Schedule "A" attached. Plus accruing interest, late charges,	6. Unsecured Priority Claim. <input type="checkbox"/> Check this box if you have an unsecured priority claim. Amount entitled to priority \$ _____ Specify the priority of the claim: <input type="checkbox"/> Wages, salaries, or commissions up to \$4,650* earned within 90 days before filing of the bankruptcy petition, or cessation of the debtor's business, whichever is earlier- 11 U.S.C. §507(a)(3) <input type="checkbox"/> Contributions to an employee benefit plan.- 11 U.S.C. § 507(a)(4) <input type="checkbox"/> Up to \$2,100* of deposits toward purchase, lease or rental of property or services for personal, family or household use- 11 U.S.C. § 507(a)(6) <input type="checkbox"/> Alimony, maintenance, or support owed to a spouse, former spouse, or child- 11 U.S.C. § 507(a)(7) <input type="checkbox"/> Taxes or penalties owed to governmental units. 11 U.S.C. § 507(a)(8) <input type="checkbox"/> OTHER-Specify applicable paragraph of 11 U.S.C. § 507(a)(____). <small>*Amounts are subject to adjustment on 4/1/98 and every three years thereafter with respect to cases commenced on or after the date of adjustment.</small>	
7. Credits: The amount of all payments on this claim has been credited and deducted for the purpose of making this proof of claim. 8. Supporting documents: Attach copies of supporting documents, such as promissory notes, purchase orders, invoices, itemized statements of running accounts, contracts, court judgments, mortgages, security agreements, and evidence of perfection of lien. DO NOT SEND ORIGINAL DOCUMENTS. If the documents are not available, explain. If the documents are voluminous, attach a summary. 9. Date-Stamped copy: To receive an acknowledgment of the filing of your claim, enclose a stamped, self-addressed envelope and a copy of this proof of claim.		(This space for court use)
Date: July 30, 2010 <div style="text-align: center;">  VINCE & ASSOCIATES, counsel for creditor </div>		
Penalty for presenting fraudulent claim: Fine of up to \$500,000 or imprisonment for up to 5 years, or both. 18 U.S.C. §§ 152 & 3571		

exh 3

Elizabeth Sobczak
CASE NO: 10-23759-lbr

SCHEDULE "A"

PRINCIPAL BALANCE \$165,863.12

ARREARAGES

8 Monthly payments@ \$1049.31 (12/1/09- 7/1/10)	\$8,394.48
Collect Property Inspections	\$30.00
Accrued late charges	\$373.20
Foreclosure Attorney Fees	\$540.00
Foreclosure costs	\$1,724.44
Property Preservation	\$60.00
TOTAL*	\$11,122.12

*TOTAL GOOD THROUGH July 22, 2010

***NOTE: THE TOTAL DEBT IS THE SUM OF THE ARREARAGES AND THE PRINCIPAL BALANCE, LESS ANY PORTION OF THE ARREARAGES WHICH UNDER THE TERMS OF THE LOAN WOULD BE APPLIED AS A REDUCTION OF THE PRINCIPAL.

B 10 (Official Form 10) (04-10) Case 10-23759-lbr Claim 3-1 Filed 09/30/10 Page 1 of 2

UNITED STATES BANKRUPTCY COURT DISTRICT OF NEVADA LAS VEGAS DIVISION		PROOF OF CLAIM
Name of Debtor: Elizabeth R. Sobczak		Case Number: 10-23759-LBR-13
NOTE: This form should not be used to make a claim for an administrative expense arising after the commencement of the case. A request for payment of an administrative expense may be filed pursuant to 11 U.S.C. § 503.		
Name of Creditor (the person or other entity to whom the debtor owes money or property): U.S. Bank National Association, not in its individual capacity but solely as trustee for the holders of Maiden Lane Asset Backed Securities I Trust 2008-1		<input type="checkbox"/> Check this box to indicate that this claim amends a previously filed claim. Court Claim Number: _____ (If known) Filed on: _____
Name and address where notices should be sent: Nationstar Mortgage P. O. Box 829009 Dallas, Texas 75382-9009		
Name and address where payment should be sent (if different from above): Nationstar Mortgage 350 Highland Dr Lewisville, Texas 75067		<input type="checkbox"/> Check this box if you are aware that anyone else has filed a proof of claim relating to your claim. Attach copy of statement giving particulars. <input type="checkbox"/> Check this box if you are the debtor or trustee in this case.
Telephone Number: (469) 549-2234		
1. Amount of Claim as of Date Case Filed: \$14,461.14 If all or part of your claim is secured, complete item 4 below; however, if all of your claim is unsecured, do not complete item 4. If all or part of your claim is entitled to priority, complete item 5. <input checked="" type="checkbox"/> Check this box if claim includes interest or other charges in addition to the principal amount of claim. Attach itemized statement of interest or charges.		5. Amount of Claim Entitled to Priority under 11 U.S.C. §507(a). If any portion of your claim falls in one of the following categories, check the box and state the amount. Specify the priority of the claim. <input type="checkbox"/> Domestic support obligations under 11 U.S.C. §507(a)(1)(A) or (a)(1)(B). <input type="checkbox"/> Wages, salaries, or commissions (up to \$11,725*) earned within 180 days before filing of the bankruptcy petition or cessation of the debtor's business, whichever is earlier – 11 U.S.C. §507 (a)(4). <input type="checkbox"/> Contributions to an employee benefit plan – 11 U.S.C. §507 (a)(5). <input type="checkbox"/> Up to \$2,600* of deposits toward purchase, lease, or rental of property or services for personal, family, or household use – 11 U.S.C. §507 (a)(7). <input type="checkbox"/> Taxes or penalties owed to governmental units – 11 U.S.C. §507 (a)(8). <input type="checkbox"/> Other – Specify applicable paragraph of 11 U.S.C. §507 (a)(). Amount entitled to priority: \$ _____ <i>*Amounts are subject to adjustment on 4/1/13 and every 3 years thereafter with respect to cases commenced on or after the date of adjustment.</i>
2. Basis for Claim: Money Loaned (See instruction #2 on reverse side.)		
3. Last four digits of any number by which creditor identifies debtor: xxxxxx3159 3a. Debtor may have scheduled account as: _____ (See instruction #3a on reverse side.)		
4. Secured Claim (See instruction #4 on reverse side.) Check the appropriate box if your claim is secured by a lien on property or a right of setoff and provide the requested information. Nature of property or right of setoff: <input checked="" type="checkbox"/> Real Estate <input type="checkbox"/> Motor Vehicle <input type="checkbox"/> Other: _____ Describe: 5401 Tassara Way Unit 105, Las Vegas, Nevada 89108 Value of Property: not available Annual Interest Rate: _____ Amount of arrearage and other charges as of time case filed included in secured claim, if any: \$1,380.95 Basis for perfection: Recordation of Lien Amount of Secured Claim: \$14,461.14 Amount Unsecured \$0.00		
6. Credits: The amount of all payments on this claim has been credited for the purpose of making this proof of claim. 7. Documents: Attach redacted copies of any documents that support the claim, such as promissory notes, purchase orders, invoices, itemized statements of running accounts, contracts, judgments, mortgages, and security agreements. You may also attach a summary. Attach redacted copies of documents providing evidence of perfection of a security interest. You may also attach a summary. (See instruction 7 and definition of "redacted" on reverse side.) DO NOT SEND ORIGINAL DOCUMENTS. ATTACHED DOCUMENTS MAY BE DESTROYED AFTER SCANNING. If the documents are not available, please explain:		
Date: September 28, 2010	Signature: The person filing this claim must sign it. Sign and print name and title, if any, of the creditor or other person authorized to file this claim and state address and telephone number if different from the notice address above. Attach copy of power of attorney, if any. /s/ Lawrence J. Buckley as Creditor's Authorized Agent 972.643.6600	
		FOR COURT USE ONLY

Penalty for presenting fraudulent claim: Fine of up to \$500,000 or imprisonment for up to 5 years, or both. 18 U.S.C. §§ 152 and 3571.
 5555-N-7052

EXH
4

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEVADA
LAS VEGAS DIVISION

IN RE:	§	
	§	CASE NO. 10-23759-LBR-13
ELIZABETH R. SOBCZAK	§	
	§	CHAPTER 13
	§	
	§	JUDGE LINDA B. RIEGLE

EXHIBIT A

ITEMIZATION OF CLAIM AND SUMMARY OF SUPPORTING
DOCUMENTS FOR CLAIM OF NATIONSTAR MORTGAGE
SERVICING AGENT FOR, U.S. BANK NATIONAL ASSOCIATION, NOT IN IT INDIVIDUAL CAPACITY
BUT SOLELY AS TRUSTEE FOR THE HOLDERS OF MAIDEN LANE ASSET BACKED SECURITIES I
TRUST 2008-1
REGARDING CERTAIN COLLATERAL DESCRIBED AS:
5401 TASSARA WAY UNIT 105, LAS VEGAS, NEVADA 89108

SECTION 1. ITEMIZATION OF CLAIM

1.	Total Debt (As of July 22, 2010)	\$14,461.14
2.	Interest rate as of July 22, 2010	9.63%
3.	Interest from Last Paid Installment	\$843.71
4.	Detail of arrearage: (through July 22, 2010)	
	7 payments January 2010 through July 2010 @ \$178.49 each:	\$1,249.43
	Accrued late charges	\$53.52
	** PRE-PETITION ATTORNEY FEES AND COSTS	\$0.00
	** PRIOR BANKRUPTCY FEES AND COSTS	\$0.00
	** POST-PETITION BANKRUPTCY FEES AND COSTS	\$0.00
	** OTHER CHARGES	
	Appraisal Fees	\$78.00
	TOTAL ARREARAGE	\$1,380.95

First post-petition monthly payment amount: \$178.49. The monthly payment amount may change due to escrow requirements and/or interest rate adjustments, if applicable.

File Number 5555-N-7052 / poc